1

2

3

4

5

6

7

8   UNITED STATES DISTRICT COURT

9   EASTERN DISTRICT OF CALIFORNIA

10

11   ORRIN TYLER COLBOURN,   No. 2:23-cv-02039-TLN-DB

12   Petitioner,

13   v.   **ORDER**

14   WARDEN,

15   Respondent.

16

17   Petitioner, a state prisoner proceeding pro se, filed an application for a writ of habeas

18   corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate

19   Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20   On May 17, 2024, the magistrate judge filed findings and recommendations herein which

21   were served on Petitioner, and which contained notice to Petitioner that any objections to the

22   findings and recommendations were to be filed within fourteen days. (ECF No. 15.) The time to

23   file objections has passed, and Petitioner did not file any objections.
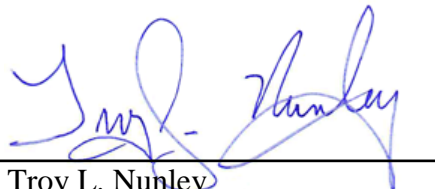
24   The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602

25   F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed *de novo*.

26   *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed

27   the file, the Court finds the findings and recommendations to be supported by the record and by

28   the magistrate judge's analysis.

1

1   Accordingly, IT IS HEREBY ORDERED that:

2   1. The findings and recommendations, filed on May 17, 2024 (ECF No. 15), are

3   ADOPTED IN FULL;

4   2. This action is DISMISSED without prejudice; and

5   3. The Clerk of Court is directed to close this case.

6   IT IS SO ORDERED.

7   Date: September 16, 2024

8

9

10   _____
     Troy L. Nunley
11   United States District Judge

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

2